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AMENDMENT TRANSMITTAL

PATENT

Application No. 10632,470
Filing Date: August 1, 2003
First Named Inventor Justin K. Brask et al.
Examiner's Name: Everhart, Caridad
Art Unit: 2835
Attorney Docket No.: P15696

- An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

- Preliminary Amendment
- Amendment/Response with respect to Office Action
- Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- Notice of Appeal
- RCE (Request for Continued Examination)
- Supplemental Declaration
- Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- Information Disclosure Statement (IDS)
- Copies of IDS citations
- Petition for Extension of Time
- Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- Cross-Reference to Related Application(s)
- Certified Copy of Priority Document
- Other: _____
- Other: _____
- Check(s)
- Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Michael A. Bernadicou

SIGNATURE: Michael A. Bernadicou

REG. NO.: 35,934

DATE: 8/23/04

ADDRESS: 12400 Wilshire Boulevard, Seventh Floor

Los Angeles, California 90025

TELEPHONE NO.: (408) 720-8300

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on August 23, 2004

Date of Deposit

Teresa Mattox

Teresa Mattox

Name of Person Mailing Correspondence

Signature

August 23, 2004

Date

(10/14/03)

Send to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450



FEE TRANSMITTAL FOR FY 2003

TOTAL AMOUNT OF PAYMENT (\$) \$90.00

Complete if Known:

Application No. 10/632,470

Filing Date August 1, 2003

First Named Inventor Justin K. Brask et al.

Group Art Unit 2825

Examiner Name Everhart, Caridad

Attorney Docket No. 42P15696

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666

Deposit Account Name _____

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed: Check
 Money Order
 Other

FEE CALCULATION

1. BASIC FILING FEE

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code 1001	Fee Code 2001	Utility application filing fee	<u>\$0.00</u>
740	370		
Fee Code 1002	Fee Code 2002	Design application filing fee	
330	165		
Fee Code 1003	Fee Code 2003	Plant filing fee	
510	255		
Fee Code 1004	Fee Code 2004	Reissue filing fee	
740	370		
Fee Code 1005	Fee Code 2005	Provisional application filing fee	
160	80		

SUBTOTAL (1) \$ 0.00

2. EXTRA CLAIM FEES

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims 32	- 27** = 5	X \$18.00	= \$90.00
Independent Claims 3	- 3** = 0	X \$84.00	= \$0.00
Multiple Dependent		\$280.00	= \$0.00

**Or number previously paid, if greater; For Reissues, see below.

Large Entity Small Entity

<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee Description</u>
Code 1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 90.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Large Entity</u>		<u>Small Entity</u>			
Fee	Fee	Fee	Fee	<u>Fee Description</u>	<u>Fee Paid</u>
Code	(\$)	Code	(\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	_____
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	_____
1053	130	1053	130	Non-English specification	_____
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	_____
1813	8,800	1813	8,800	Request for inter parties reexamination	_____
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	_____
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	_____
1251	110	2251	55	Extension for reply within first month	_____
1252	400	2252	200	Extension for reply within second month	_____
1253	920	2253	460	Extension for reply within third month	_____
1254	1,440	2254	720	Extension for reply within fourth month	_____
1255	1,960	2255	980	Extension for reply within fifth month	_____
1401	320	2401	160	Notice of Appeal	_____
1402	320	2402	160	Filing a brief in support of an appeal	_____
1403	280	2403	140	Request for oral hearing	_____
1451	1,510	1451	1,510	Petition to institute a public use proceeding	_____
1452	110	2452	55	Petition to revive – unavoidable	_____
1453	1,280	2453	640	Petition to revive - unintentional	_____
1501	1,280	2501	640	Utility issue fee (or reissue)	_____
1502	460	2502	230	Design issue fee	_____
1503	620	2503	310	Plant issue fee	_____
1460	130	1460	130	Petitions to the Commissioner	_____
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	_____
1806	180	1806	180	Submission of Information Disclosure Stmt	_____
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	_____
1809	740	2809	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
1814	110	2814	55	Statutory Disclaimer	_____
1810	740	2810	370	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
1801	740	2801	370	Request for Continued Examination (RCE)	_____
1802	900	1802	900	Request for expedited examination of a design application	_____
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	_____
1505	300	1505	300	Publication fee for republication	_____
1803	130	1803	130	Request for voluntary publication or republication	_____
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	_____
1454	1,280	1454	1,280	Acceptance of unintentionally delayed claim for priority	_____

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 0.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Michael A. Bernadicou

Signature: Michael Bernadicou Date: 8/23/04

Reg. Number: 35,934 Telephone Number: (408) 720-8300



Attorney's Docket No.: P15696

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

Dear Sir:

This is in response to the Office Action mailed June 4, 2004. Applicant respectfully requests the Examiner to enter the following amendments and consider the following remarks.

Amendments to the Claims are reflected in the listing of claims that begins on page **2** of this paper. **Remarks/Arguments** begin on page **9** of this paper.

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to MAIL STOP _____, MIAMI, FL 33162-1150.

COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450
U.S. Patent and Trademark Office, Washington, D.C. 20331 on August

Date of Deposit

Teresa Mattox
Name of Person Mailing Correspondence

repa

August 23, 2004
Date

08/27/2004 RMEBRAHT 00000009 10632470

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90.00 QP

-1-

Serial No.: 10/632,470

Attorney Docket: P15696